

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL 1570 (GBD)  
ECF Case

*This document relates to:*

03-CV-9849

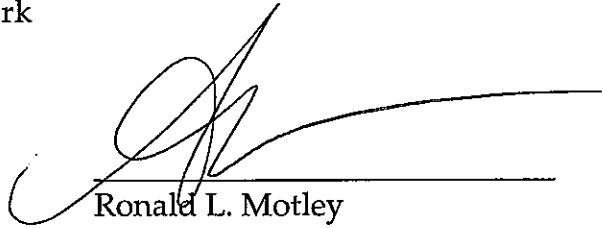
*Thomas Burnett, Sr., et al. v. Al Baraka Invest. &  
Develop. Corp., et al.*

**NOTICE OF APPEAL**

NOTICE is hereby given that all Plaintiffs in the *Burnett* case hereby appeal to the United States Court of Appeals for the Second Circuit from the final judgment entered on July 14, 2011 in favor of (1) Salman Al-Oadah; (2) Shahir A. Batterjee; (3) Yeslam Binladin; (4) Mushayt for Trading Establishment; (5) Sheikh Abdullah bin Khalid Al Thani; (6) Ibrahim bin Abdul Aziz Al-Ibrahim Foundation; (7) Saleh Al-Hussayen; (8) Abdullah Sulaiman Al-Rajhi; (9) Mohammed Ali Sayed Mushayt; (10) Ahmed Zaki Yamani; (11) Saudi Red Crescent Society (SRCS); (12) National Commercial Bank; (13) Al Shamal Islamic Bank; (14) Asat Trust Reg.; (15) Faisal Islamic Bank – Sudan; (16) Tadamon Islamic Bank; (17) Saleh Abdul Aziz Al Rajhi; (18) Sulaiman Bin Abdul Aziz Al Rajhi; (19) Abdullah Muhsen Al Turki; (20) Abdullah Bin Saleh Al-Obaid; (21) Khalid Bin Mahfouz; (22) Alfaisaliah Group aka Faisal Group Holding Company; (23) Yousef Jameel; (24) Abdullah Binladin; (25) DMI Administrative Services S.A.; and (26) Safar Al-Hawali; and from each and every opinion and order upon which these judgments are based, including without limitation the opinion and order dated June 17, 2010, dismissing all claims in this case against

these defendants, as well as any other underlying orders with respect to these defendants, including without limitation the January 13, 2010 memorandum decision and order of Magistrate Judge Frank Maas, MDL document 2218, pertaining to National Commercial Bank. . A copy of the July 14, 2011 final judgment is attached.

Dated: New York, New York  
August 10, 2011



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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001  
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This document relates to:

All cases  
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03 MDL 1570 (GBD)

**RULE 54(B) JUDGMENT**

Whereas the parties having jointly requested for entry of a final judgment pursuant to Fed. R. Civ. P. 54(b) dismissing the defendants listed in Exhibit A, and the matter having come before the Honorable George B. Daniels, United States District Judge, and the Court, on July 13, 2011, having rendered its Order finding no just cause for delay and directing the Clerk of the Court to enter final judgment pursuant to Fed. R. Civ. P. 54(b) dismissing the defendants identified in Exhibit A, it is,

**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated July 13, 2011, the Court finds no just cause for delay, pursuant to Fed. R. Civ. P. 54(b), entering final judgment dismissing the defendants identified in Exhibit A.

**Dated:** New York, New York  
July 14, 2011

**RUBY J. KRAJICK**

\_\_\_\_\_  
Clerk of Court

BY:

  
\_\_\_\_\_  
Deputy Clerk

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON \_\_\_\_\_

**EXHIBIT A – LIST OF DEFENDANTS**

1. Saudi Joint Relief Committee
2. Saudi Red Crescent Society
3. Saudi High Commission<sup>1</sup>
4. Prince Naif bin Abdulaziz al-Saud
5. Prince Salman bin Abdulaziz al-Saud
6. Sheikh Abdullah bin Khalid Al Thani
7. Prince Abdullah al Faisal bin Abdulaziz al Saud
8. National Commercial Bank
9. Al Aqsa Islamic Bank
10. Al-Baraka Investment and Development Corporation
11. Al Rajhi Banking and Investment Co.
12. Al Shamal Islamic Bank
13. Alfaisaliah Group a/k/a Faisal Group Holding Company
14. Arab Bank PLC
15. Aradi, Inc.
16. Asat Trust Reg.
17. Banca del Gottardo
18. Binladin Group International
19. Council on American-Islamic Relations
20. Council on American-Islamic Relations-Canada
21. Dallah Al Baraka L.L.C.
22. Dallah Avco Trans-Arabia Co. Ltd.
23. Dar Al-Maal-Al-Islami Trust
24. DMI Administrative Services S.A.
25. Faisal Islamic Bank-Sudan
26. Ibrahim bin Abdul Aziz Al-Ibrahim Foundation
27. Islamic Assembly of North America
28. M.M. Badkook Company
29. Mar-Jac Poultry, Inc.
30. Mohammed Binladin Company
31. Mushayt for Trading Establishment

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<sup>1</sup> As to defendants Saudi High Commission, Prince Salman bin Abdulaziz al-Saud and Prince Naif bin Abdulaziz al-Saud, the parties had stipulated that Judge Casey's September 21, 2005 decision was binding as to all remaining claims, as well as any subsequent appellate rulings by any courts. See MDL Dkt. Nos. 915, 918, 932, 1466, 1506, 1510, 1677 and 1678; see also letter of September 4, 2009 by William H. Jeffress, Jr. and Lawrence S. Robbins and accompanying exhibits. Those defendants are accordingly dismissed from the remaining cases against them.

32. Saudi American Bank<sup>2</sup>
33. Schreiber & Zindel Treuhand Anstalt
34. Sercor Treuhand Anstalt
35. Success Foundation, Inc.
36. Tadamon Islamic Bank
37. Abdullah Al Rajhi
38. Khalid Al Rajhi
39. Saleh Al Rajhi
40. Sulaiman Al Rajhi
41. Abdul Rahman Al Swailem
42. Abdullah Muhsen Al Turki
43. Sulamain Al-Ali
44. Aqeel Al-Aqeel, a/k/a Aqeel Abdul-Aziz Aqeel
45. Soliman H.S. Al-Buthe
46. Safer Al-Hawali
47. Hamad Al-Husaini
48. Saleh Al-Hussayen
49. Sami Al-Hussayen
50. Abdul Aziz bin Ibrahim Al-Ibrahim
51. Abdullah bin Saleh Al Obaid
52. Salman Al-Oadah
53. Talal M. Badkook
54. Adnan Basha
55. Shahir A. Batterjee
56. Omar Binladin
57. Abdullah Binladin
58. Bakr Binladin
59. Tariq Binladin
60. Yeslam Binladin
61. Yousef Jameel
62. Yassin Abdullah Kadi
63. Saleh Kamel
64. Zahir Kazmi
65. Jamal Khalifa, a/k/a Mohammad Jamal Al Khalifa
66. Abdulrahman Bin Mahfouz
67. Khalid Bin Mahfouz
68. Mohamed Al Mushayt
69. Abdullah Naseef
70. Engelbert Schreiber, Jr.

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<sup>2</sup> Saudi American Bank has been dismissed formally from all cases except for Estate of John P. O'Neill, Sr. v. Al Baraka, 04 CV 1923. The plaintiffs in that matter entered into a stipulation with Saudi American Bank agreeing to be bound to the results of briefing as to other cases, and Saudi American Bank was dismissed as to Ashton and Burnett in Judge Casey's January 18, 2005 decision, and as to Federal Insurance in his decision of November 20, 2006. Saudi American Bank is accordingly dismissed from the remaining cases against it.

- 71. Engelbert Schreiber, Sr.
- 72. Erwin Wachter
- 73. Martin Wachter
- 74. Ahmed Zaki Yamani
- 75. Frank Zindel